

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LISA C. BOURASSA,

Plaintiff,

v.

Civil Action 2:11-cv-00235

Judge GREGORY L. FROST

Magistrate Judge E.A. Preston Deavers

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

This matter is before the Court for consideration of the February 3, 2012 Report and Recommendation of the Magistrate Judge. (ECF No. 15) The Magistrate Judge recommended that the Court remand this case for further consideration. The Commissioner of Social Security (“Commissioner”) filed his Objections to the Report and Recommendation on February 16, 2012. (ECF No. 16.)

This Court has conducted a *de novo* review of the Report and Recommendation pursuant to 28 U.S.C. § 636(b). Following review, the Court agrees with the reasoning and analysis of the Magistrate Judge. In particular, the current record evidence reflects that the ALJ erred by relying on her own lay medical judgments in weighing the medical evidence and assigning Plaintiff’s residual functional capacity. The Court finds the Commissioner’s Objections unpersuasive, as they track the contentions within his initial Memorandum in Opposition and do not attempt to engage the Magistrate Judge’s analysis. *See Robert v. Tesson*, 507 F.3d 981, 994 (6th Cir. 2007) (“[A] general objection to a magistrate judge’s report, which fails to specify the issues of contention, does not suffice to preserve an issue for appeal”) (citation omitted). Accordingly, the Commissioner’s Objections are **OVERRULED** and the Report and

Recommendation is **ADOPTED**. This case is **REMANDED** to the Commissioner for further consideration consistent with the Report and Recommendation.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE